IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

THURSDAY, THE 11TH OCTOBER 2007 / 19TH ASWINA 1929

WP(C).No. 30271 of 2007(D)

CMP.2606/2007 of C.J.M.,TRIVANDRUM

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PETITIONER:

SANTHAKUMARI AMMA.N., PROPRIETOR,
AJANTHA HOTEL, PRAVACHAMBALAM,
THEKKINAKAM PUTHENVEEDU, PRAVACHAMBALAM,
NEMOM P.O., THIRUVANANTHAPURAM.

BY ADV. SRI.BIJU BALAKRISHNAN

RESPONDENTS:

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1. STATE BANK OF TRAVANCORE,
PRAVACHAMBALAM BRANCH, NEMOM P.O.,
THIRUVANANTHAPURAM DIST., REPRESENTED BY ITS
MANAGER.

2. THE AUTHORIZED OFFICER,
CHIEF MANAGER(ADVANCES),
STATE BANK OF TRAVANCORE REGION-II,
ZONAL OFFICE, TRIVANDRUM.

BY S.C. MR. SAJI VARGHESE.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 11/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.

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W.P.(C) No. 30271 OF 2007 D
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Dated this the 11th October, 2007

J U D G M E N T

In this writ petition challenging the proceedings under the Securitisation and Reconstruction of Financial Assets & Enforcement of Security Interest Act, 2002 the only prayer made by counsel for the petitioner is for an instalment facility to enable him to make payments of the dues to the respondent Bank.

2. I heard the learned counsel for the respondent Bank also.

3. Having regard to the facts stated in the petition, I am inclined to direct the respondents to permit the petitioner to pay the dues in instalments as indicated hereunder:

The petitioner shall make a payment of Rs.50,000/- before 1-11-2007. Thereafter the balance amount due shall be paid by the petitioner in five equal monthly instalments payable on the 1st of every succeeding month commencing from 1st December, 2007. In the meanwhile the proceedings against the petitioner shall be kept in

abeyance and if the petitioner commits default of any one of the instalments the bank will be entitled to proceed further without any further notice.

Writ petition is disposed of as above.

ANTONY DOMINIC
JUDGE

jan/-